Statement of Basis
Briefing Memorandum

Great Lakes Gas Transmission Limited Partnership
MN-0052540-2

Receiving Water: Waters of the United States

A. Description of Activities

Great Lakes Gas Transmission Limited Partnership (Great Lakes) operates a natural gas pipeline that serves portions of Minnesota. This permit covers activities related to the pipeline that are within the exterior boundaries of the Leech Lake Indian Reservation (Cass and Itasca Counties) and the Fond du Lac Indian Reservation (St. Louis and Carlton Counties).

	Milepost		Legal Locations		
Reservation	Begin	End	Township	Range	Sections
Leech Lake	160.94	203.61	145N	32W	24, 25
			145N	31W	19,28, 29, 30, 33, 34, 36
			144N	31W	1, 2, 3
			144N	30W	1, 2, 3, 4, 5, 6
			144N	29W	2, 3, 4, 5, 6
			145N	29W	35, 36
			145N	28W	31, 32, 33, 34, 35, 36
			145N	27W	31, 32, 33, 34, 35, 36
			145N	26W	31, 32
			144N	26W	1, 2, 3, 4, 5, 6
			144N	25W	2, 6
			145N	25W	31, 32, 33, 34, 35
Leech Lake	207.10	207.53	144N	27W	26
Fond du Lac	267.53	281.29	50N	19W	22, 25, 26, 27, 36
			49N	19W	1
			49N	18W	6, 7, 8, 15, 16, 17, 22, 23, 26, 35, 36
			48N	18W	1
			48N	17W	5, 6

Great Lakes performs routine maintenance and inspection of the pipeline on a regular basis. Periodically, this results in the need to repair and/or replace portions of the pipeline. During the inspections, water from ground seepage and surface runoff may accumulate in the pipeline trench. When the accumulation hampers inspection, the trench will be dewatered. The end of the pump intake hose will be held above the bottom of the trench to minimize sediment withdrawal. Discharge will be done in a manner that prevents soil erosion and other nuisance conditions, and controls surface runoff. Discharge will be to a well vegetated upland or wetland using a filtration/energy dissipation device, typically either a geotextile filter bag or a straw bale dewatering structure. These devices are designed to prevent erosion and to remove solids/sediments from the discharge.

Where necessary to evaluate pipeline integrity consistent with U. S. Department of Transportation safety requirements, the discharge of hydrostatic test water may be necessary. Hydrostatic testing is a common means of evaluating the integrity of pipelines. During these tests, water is used as the testing medium rather than as a process stream. Because no additives are used, it is anticipated that the water used will not change significantly and thus, will reflect the characteristics of the source from which it was appropriated. Additionally, the permittee may desire to discharge hydrostatic test waters resulting from construction or maintenance projects such as piping modifications at compressor stations, construction of a meter station, or replacement of a section of pipe. Hydrostatic test water will be discharged to surface waters and/or in the manner described above.

Storm water discharges are expected where pipeline projects and construction activities require significant clearing and grading.

Discharge Limitations:

Storm Water and Trench Water

In 1987, Congress reauthorized the Clean Water Act (CWA). Section 402(p)(2) of the 1987 CWA requires NPDES permits for storm water discharges associated with industrial activity. EPA has defined storm water discharges associated with industrial activity to include storm water discharges from construction sites which disturb 1 or more acres (40 CFR 122.26(b)(14)(x) and 40 CFR 122.26(b)(15)). The permittee will be required to develop and implement a Storm Water Pollution Prevention Plan and a Storm Water Management Plan. The discharge of trench water will be covered in the above plans.

Hydrostatic Test Water

Effluent Limitations and Monitoring Requirements

The permittee is authorized to discharge hydrostatic test water. Such discharges shall be limited and monitored by the permittee as specified below:

Parameter	Effluent Limitations		Monitoring Requirement	
	Daily Min.	Daily Max.	Frequency	Sample Type
Total Discharge Volume (MG)		(Report)	Continuous	Calculation

Total Suspended Solids		30 mg/l	Daily	Composite
Dissolved Oxygen	5 mg/l		Daily	Grab
pH (standard units)	6	9	Daily	Grab
Oil & Grease		10 mg/l	Daily	Grab See item#5.b
Treatment System, Discharge and Receiving Water Inspection		(Report)	Continuous	Visual See item# 5

1. Representative samples - Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge to the receiving waters.

2. Monitoring Location - Samples and measurements taken in compliance with the monitoring requirements above shall be taken after treatment and prior to discharge into the receiving waters.

3. Monitoring Methods - The sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA approved methods, 40 CFR Part 136.

4. Additional Monitoring - If the permittee monitors any pollutant more frequently than required, using EPA approved methods, the results of such monitoring shall be included in the records.

5. Outfall Observation:

   a. The permittee is required to have a representative on site for the duration of the discharge;
   b. The receiving water shall contain no unnatural turbidity, color, oil films, floating solids, foams, settleable solids, or deposits as a result of this discharge; Sampling for Oil and Grease will only be required if the discharge creates a visible color film or sheen on the receiving water surface.
   c. Any unusual characteristics, as described at item 5.b above, shall be recorded detailing the findings of the investigation and the steps taken to correct the condition.

Basis for limits: For storm water and trench water, best management practices will be used when necessary to prevent spoil or silt-laden water from leaving the project area or entering wetlands, surface waters, or drainage channels during and after the projects. Portions were taken from EPA's Draft General Construction Stormwater Permit. The effluent limitations and monitoring requirements for hydrostatic test water contained in this permit were developed using best professional judgement to protect state and tribal water quality standards where they are applicable. As such, the permitting authority is not stopped from establishing more stringent

standards or monitoring in the event that the discharge is to a receiving stream where the permitting authority determines that additional or more stringent requirements and/or effluent limitations than those indicated in this permit may be necessary to substantially assure compliance with applicable regulations. The permitting authority shall apprise the permittee of these additional requirements, more stringent and/or additional effluent limitations, and/or water quality standards and then they shall become a part of the requirements applicable through this permit for the specific discharge. The permittee shall submit any additional information required by the permitting authority to assure that these additional requirements, more stringent and/or additional effluent limitations and/or water quality standards are being met. EPA is the appropriate authority for purposes of certifying the proposed discharge under Section 401 of the Clean Water. Clean Water Act Section 401 certification is not needed from the state or the tribe as neither have water quality standards applicable to the receiving water at the point of discharge.

Prior to issuance of the NPDES permit, EPA will contact the State Historic Preservation Officer, the Tribal Historic Preservation Officers and the US Fish and Wildlife Service to ensure that the issuance of this permit will comply with the National Historic Preservation Act and the Endangered Species Act, respectively. The Permittee has already provided information related to the areas covered by this permit to the above entities. The documents are part of the Administrative Record.

Special Conditions

- This permit is intended to cover discharges of storm water, trench water, and hydrostatic test water that may occur during the regular maintenance and inspection of the permittee's pipeline located within the exterior boundaries of the Leech Lake Indian Reservation and the Fond du Lac Indian Reservation. The requirements of the permit are general in nature and are intended to protect applicable water quality standards. However, since the receiving waters cannot be identified at this time, it is possible that additional requirements may be needed. Therefore, the permit requires the permittee to submit site-specific information to EPA and the Tribes prior to undertaking a project that would have a discharge covered by this permit. Unless the permit needs to be modified to include more stringent requirements based on the site-specific information, the permittee can proceed with the project. If the permit needs additional requirements, after consultation with the Tribes and the permittee, the permit would be modified without public notice.

- Prohibitions related to:
  a. Water treatment and chemical additives;
  b. Violating water quality standards;
  c. Discharging to outstanding resource waters and trout streams;
  d. Causing erosion or nuisance conditions;
  e. Construction or installation of pipeline facilities;
  f. Impacts to endangered species and historical properties

The permit is based on applications dated October 26, 2001, and subsequent information dated June 28, 2002, and February 14, 2003.

The permit will be issued for five years as allowed by regulation.